



Appeal Decision

Site visit made on 7 December 2020

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2021

Appeal Ref: APP/D0840/W/20/3257765

Land adjacent to Chy an Deylek, St Ruan, Ruan Minor TR12 7JS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Dale against the decision of Cornwall Council.
 - The application Ref PA20/00453, dated 14 January 2020, was refused by notice dated 16 March 2020.
 - The development proposed is construction of single storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Various spellings are given within the evidence for the dwelling adjacent to the appeal site. In the interests of certainty, I adopted that given on the planning application form and the signage at the property, 'Chy an Deylek'.

Main Issues

3. The main issues are:
 - the suitability of the site for a dwelling, having regard to local policy for the location of housing; and,
 - the effect of the proposal on the character and appearance of the area, with reference to the Cornwall Area of Outstanding Natural Beauty (the AONB).

Reasons

Suitability of the site

4. The site is the lower section of a small sloping field beside the property Chy an Deylek and its driveway, which joins the public highway through St Ruan nearby. Houses are to the north west with the rest of the built form of St Ruan to the south. The site and its environs are within the AONB. Whilst the appellant considers the site to be, and to have been originally intended to form, part of the residential grounds to Chy an Deylek, there is no clear evidence of this.
5. Policy 3 of the Cornwall Local Plan: Strategic Policies Document 2010–2030 (adopted 2016) (CLP), amongst other things, supports growth adjacent to or within smaller settlements, subject to the site meeting one of several criteria. St Ruan is a definable and reasonably dense concentration of housing largely grouped together. It constitutes a settlement in my view.
6. The criterion of Policy 3 most applicable to this case is where a development would result in the 'rounding off' of a settlement. The supporting text to Policy

- 3 clarifies that rounding off applies to development on land that is substantially enclosed but outside of the urban form of a settlement where its edge is clearly defined by a physical feature that also acts as a barrier to further growth. Proposals should not visually extend building into the open countryside.
7. Many of the dwellings in St Ruan are individually set in generous and softly landscaped grounds. As such, whilst the site is open and verdant, these qualities do not necessarily lead it to fall beyond the confines of the settlement.
 8. As one approaches the site within St Ruan from the south it is visible in filtered views beyond Chy an Deylek's tree lined driveway. Yet, the slope of the field containing the site inhibits wider countryside views and, when traveling past it, the relative urbanity of the area is quickly re-established by the prominence of the housing to the north west. From the north the site is read within the context of this housing, is drawn towards the settlement by the topography, and appears only briefly, against the immediate backdrop of Chy an Deylek.
 9. The bungalow would have a traditional appearance, utilise local materials, and its siting and scale would allow it to be closely and subserviently related to the surrounding built form, with a low profile when viewed from the south, from where it could be further hidden by planting. The access to Chy an Deylek would be utilised and the views of the remainder of the field through the access could be retained. As such, whilst the site is beyond the urban form of St Ruan, the proposal would not visually extend building into the open countryside.
 10. The site is substantially enclosed by Chy an Deylek to the east, and the dwelling's driveway, the public highway and beyond that neighbouring housing to the south and west. However, whilst I note the intention to plant a hedge along the north boundary, the site is currently open to the remainder of the field in this direction, with no barrier to further growth. It follows for this reason that the proposal would not be 'rounding off' and would conflict with Policy 3. It therefore falls into consideration under Policy 7 of the CLP, which seeks to avoid new homes in the countryside unless in special circumstances. There is no evidence that any of its circumstances would apply to this case.
 11. The appellant has referred to two schemes in St Ruan where housing was granted planning permission¹. These decisions predate the CLP and were therefore made within a materially different planning context. Moreover, the CLP places emphasis on site specific circumstances. As such, these decisions have carried very little weight in favour of the scheme. A further scheme Ref PA19/10632 is also referenced, but none of its details have been provided.
 12. I therefore conclude on this issue that the site is not suitable for a dwelling, having regard to local policy for the supply of housing. The proposal would conflict with the relevant aims of Policies 1, 2, 3 and 7 of the CLP.

Character and appearance

13. The AONB is a landscape designation which has the highest status of protection in relation to its landscape and scenic beauty. Nonetheless, I have found the site to be well contained and well related to St Ruan, making a negligible contribution to any sense of scenic beauty. Whilst the wider area is positively characterised by areas of open plateau, the quite enclosed and discrete sloping field entertaining the appeal site is not an integral part of this landscape

¹ Refs PA13/09104 and PA14/11827

character. The proposed dwelling would be appropriately scaled and designed and would read as an innocuous and proportionate addition to the settlement.

14. Consequently, I conclude on this issue that the proposal would not have a harmful effect on the character and appearance of the area, with reference to the AONB. It would accord with the landscape and design aims of Policies 12 and 23 of the CLP, and the National Planning Policy Framework (the Framework). I also find no conflict with the referenced content of the Cornwall AONB Management Plan 2016-2021 (2016).

Other Matters

15. It has been contended that there are no other suitable sites for growth at St Ruan. However, there is no substantive evidence of any robust assessment of such before me, and this matter has not been determinative in my assessment.

Planning Balance

16. Planning law and the Framework require proposals to be determined against the development plan unless material considerations indicate otherwise.
17. The government is seeking to significantly boost the supply of housing and the scheme would contribute a modern energy efficient dwelling to the local supply, in a location where residents may well make use of nearby services. I have had regard to the appellant's personal circumstances and understandable desire for a bungalow here, and his intention to enhance the vitality of St Ruan by freeing up Chy an Deylek as a family home. However, there is no mechanism before me to ensure that the proposal would lead these scenarios to take place. As such, the personal circumstances of the appellant and the housing benefits of the scheme have carried limited weight in its favour.
18. The absence of harm to the character and appearance of the area and the living conditions of neighbouring residents are neutral in the balance. Any small biodiversity gains attract limited weight. Economic benefits accrued through the construction phase would be modest and ultimately time limited.
19. The site would not, however, be a suitable location for housing having regard to local policy for the supply of housing and the proposal would undermine the Council's plan-led approach, contrary to Paragraph 15 of the Framework. This matter weighs heavily in the balance, outweighing the benefits of the scheme.
20. I therefore conclude that the proposal would conflict with the development plan when read as a whole and that there are no other considerations, including the Framework, that outweigh the conflict.

Conclusion

21. For the reasons outlined above and taking all matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR